

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT AMENDING THE DISTRICT'S RULES AND REGULATIONS GENERALIZING SPECIFIC FEES TO REFERENCE APPENDIX A: CURRENT SPECIAL FEE SCHEDULE AND APPENDIX B: FACILITY AND PARK RENTAL FEE SCHEDULE

WHEREAS, the McKinleyville Community Services District (the "District") is organized and operates pursuant to the Community Services District Law, Government Code section 61000 et seq.;

WHEREAS, the Board of Directors desires to amend the District's Rules and Regulations to streamline the referencing of fees for consistency and clarity;

WHEREAS, the Board of Directors finds that certain fees are best consolidated and referenced in a centralized manner for the mutual benefit of customers and District operations; and

WHEREAS, centralizing these fees also enables District Staff to update fees that are not subject to Proposition 218 efficiently and consistently, without requiring piecemeal amendments through the ordinance process; and

WHEREAS, District staff identified sewer permit fees and Facility and Park rental fees are in need of adjustment; and

WHEREAS, the Board finds that these amendments will promote administrative clarity, improve internal consistency within the Rules and Regulations, and provide ease of necessary adjustments of these fees when needed;

NOW, THEREFORE, the Board of Directors of the McKinleyville Community Services District ordains that Rules 5.01, 5.04, 5.11, 8.03, 8.04, 8.05, 9.04, 10.03, 10.09, 14.05, 14.08, 16.01(c), 19.03, 21.02, 27.08, 45.01.a, 45.02, 45.03.a, 45.03.c, 45.04.a, 45.05, 45.08, 52.03, and 73.11 as set forth in Exhibit A.

This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

Introduced at a regular meeting of the Board of Directors held on May 6, 2025 and passed and adopted by the Board of Directors on June 3, 2026 upon the motion of Director Bitterman and seconded by Director Ossini and by the following polled vote:

AYES: Binder, Bitterman, Mayo, Ossini

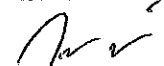
NOES: None

ABSTAIN: None

ABSENT: None


Dennis Mayo, Board President

Attest:


Joseph Blaine, CMC, Board Secretary

Each July 1st, each rate set forth above shall be adjusted by the percentage change in the Construction Cost Index for the San Francisco Bay Area as published in the Engineering News Record between July 2017 and the then most recently published Construction Cost Index.

4. Amendment to Rule 8.03:

Rule 8.03 – Meter Tests Deposit is removed.

5. Amendment to Rule 8.04:

Rule 8.04 – Adjustment for Meter Errors – Fast Meters is removed.

6. Amendment to Rule 8.05:

Rule 8.05 – Adjustment for Meter Errors – Slow Meters is removed.

7. Amendment to Rule 9.04:

Rule 9.04. WATER CHARGES - water charges are due and payable 14 days after the billing date. The District shall charge appropriate notice fees for mailed notifications regarding nonpayment and service termination. Such fees shall be applied in accordance with the District's Current Special Fee Schedule (Appendix A).

8. Amendment to Rule 10.03:

Rule 10.03. RECONNECTION CHARGE - a reconnection charge plus penalties as applicable shall be made and collected prior to renewing service following an initial discontinuance or suspension. The reconnection charge for residential water service is set forth in the District's Rules and Policy Governing the Disconnection of Residential Water Service for Nonpayment of Water Rates and Charges and is listed in the Current Special Fee Schedule (Appendix A). Service reconnection shall also require the payment of all charges currently due in addition to the reconnection charges. An additional refundable deposit equivalent to 2 1/2 (two and one-half) times the monthly average for each class of customer will be required of water/sewer accounts that have begun new service, reconnected or with an outstanding balance remaining from a previous MCSD service.

9. Amendment to Rule 10.09:

Rule 10.09. RETURNED CHECK FEE - the District shall charge a returned payment fee according to the Current Special Fee Schedule (Appendix A), each time a customer's payment is rejected by that customer's financial institution.

10. Amendment to Rule 14.05:

Rule 14.05. SUPPLY FROM FIRE HYDRANT - an applicant for temporary use of water from a fire hydrant must secure a permit therefore from the District and pay the regular fee charged for the installation and removal of a meter to be installed on said hydrant; the applicant shall provide a valve for shutoff control, and a hydrant wrench necessary to operate such hydrant, and pay for the water used in accordance with the meter readings, at the rates prescribed by the District.

11. Amendment to Rule 14.08

Rule 14.07. SHORT TERM PROCESSING FEE - a property owner or his agent may set up a short-term water account to purchase up to 500 cubic feet of water for use at an existing meter for up to a two-week period by paying a non-refundable fee according to the Current Special Fee Schedule (Appendix A). The property owner may extend the time period and/or consumption limit by paying an additional non-refundable processing fee for one additional

(e) Administration Fee – An Administration fee of shall be charged in accordance with the District's Current Special Fee Schedule (Appendix A) to cover District costs associated with the review and administration of all service applications and Humboldt County Building & Planning Department referrals associated with new or revised water or sewer service connections. The Administration Fee is based on District Labor cost and may be increased annually upon the annual change, as calculated in December of each year, to an average of the San Francisco-Oakland-San Jose, CA and West-Size Class 8/C COLA indexes published by the United State Bureau of Labor Statistics.

(f) Buy in capacity charge - For all lands added to the sewer service area the Manager shall collect the additional charges set forth in the respective Resolution amending the sewer service area in addition to the other charges described above.

(g) Connection charges do not include paving over trenches as required by Humboldt County Public Works Department. Paving costs are the responsibility of the developer.

15. Amendment to Rule 27.08

Rule 27.08. LATE NOTICE AND TERMINATION NOTICE FEES - Sewer charges are due and payable 14 days after the billing date. The District shall charge appropriate notice fees for mailed notifications regarding nonpayment and service termination. Such fees shall be applied in accordance with the District's Current Special Fee Schedule (Appendix A).

16. Amendment to Rule 45.01.a:

Rule 45.01.a. PERMIT TYPE DEFINITIONS - the District shall issue permits based on the following definition of use:

(a) A "Special Event" shall be defined as use deemed to be non-programmatic with estimated attendance of less than 500 persons and no more than posted capacities at indoor facilities; for which off road and facility parking space is adequate; for which street closures are not required; and for which cancellation of approved vendor programs is not required.

(b) A "Large Scale Community Event" shall be defined as use deemed to be non-programmatic with estimated attendance of more than 500 persons but no more than posted capacities at indoor facilities or for which off-road and facility parking space is adequate; or for which street closures may be required; or for which cancellation of an approved vendor program is required.

(c) A "Vendor Contract" shall be defined as use by those individuals approved by the Parks and Recreation Director, offering ongoing programs on a regular basis for no more than twelve months.

17. Amendment to Rule 45.02:

Rule 45.02. FACILITY USAGE PERMIT PROCESS - any individuals or organizations seeking issuance of a facility usage permit hereunder shall file a request for permit to use District facilities on the appropriate reservation form provided by the District. All requests must be filed with the District along with the required facility usage deposit, usage fees, proof of appropriate insurance coverage, and fees for other services at least (10) working days prior to the actual event date. The Parks & Recreation Director, under direction of the Board, may impose additional conditions for approval.

18. Amendment to Rule 45.03.a:

Rule 45.03.a. FEE STRUCTURE DEFINITIONS - the District shall identify the following fee structure definitions when charging customers for use of facilities:

(a) A "Non-Profit Group" shall be defined as any group or organization which can supply proof of non-profit status via the Internal Revenue Service code. Other Governmental entities shall be considered as falling within the guidelines of this definition.

For those events at which alcohol is served or sold, the following requirements shall also be required:

- (a) An event host will be assigned to be present throughout the event;
- (b) Facilities may be rented for events where alcoholic beverages are served only as an incidental component of a broader event purpose, such as a meal, reception, or fundraising activity. Events in which the consumption of alcoholic beverages is the primary or principal activity are prohibited. Fundraising tasting events that include both food and alcoholic beverage sampling

may be permitted, provided that:

- a. The event includes substantial food service or food tastings as a central component;
- b. Alcohol service is ancillary to the overall event purpose and not the sole or primary attraction;
- c. All applicable licenses, permits, and insurance requirements are obtained;
- and
- d. Alcohol is served in compliance with all local, state, and District regulations.

The Parks & Recreation Director has the authority to impose additional conditions as a requirement for issuance of a fully executed Special Event Reservation Form and Permit or Community Event Reservation Application and Permit.

23. Amendment to Rule 52.03:

Rule 52.03. PROCESSING FEE - the processing fee for establishment of street lighting service shall be charged in accordance with the District's Current Special Fee Schedule (Appendix A).

24. Amendment to Rule 73.11:

Rule 73.11. PROCESSING FEE - prior to commencing service a non-refundable will be required of all customers in accordance with the District's Current Special Fee Schedule (Appendix A).